

Report Date: March 13, 2023

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Mar 13, 2023**Eastern District of Washington**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Dennis R Penfield

Case Number: 0980 2:04CR00165-WFN-1

Address of Offender: [REDACTED] Spokane, Washington 99207

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: June 7, 2005

Original Offense: Possession with Intent to Distribute a Mixture or Substance Containing a Detectable Amount of Methamphetamine, 21 U.S.C. § 841(a)(1); Possession with Intent to Distribute 5 Grams or More of Actual (Pure) Methamphetamine, 21 U.S.C. §§ 841(a)(1) and 851.

Original Sentence: Prison - 240 months; Type of Supervision: Supervised Release
TSR - 120 months

Asst. U.S. Attorney: George J. C. Jacobs, III Date Supervision Commenced: August 12, 2020

Defense Attorney: Kathryn Lucido Date Supervision Expires: August 11, 2030

PETITIONING THE COURT

To issue a warrant and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 6/23/2022, 10/25/2022, 2/8/2023 and 3/6/2023.

On August 12, 2020, a supervision intake was completed, at which time the conditions of Mr. Penfield's release were reviewed with him. Mr. Penfield signed a copy of his judgment, acknowledging an understanding of the conditions imposed by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

8 **Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer.

Supporting Evidence: It is alleged that Dennis Penfield violated the terms of his supervised release by consuming a controlled substance, Fentanyl, on or about March 2, 2023.

On March 1, 2023, Mr. Penfield reported to the United States Probation Office and provided a urine sample. The sample tested presumptively negative. However, the sample appeared dilute, therefore, it was sent to the lab for additional testing. A lab report was received and noted a positive presence for Fentanyl. In addition, the sample was noted to be a dilute specimen.

Prob12C

Re: Penfield, Dennis R

March 13, 2023

Page 2

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court, and that the Court issue a warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 03/13/2023

s/Melissa Hanson

Melissa Hanson
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

3/13/2023

Date